

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte LAURA M. PACZEWITZ

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Appeal No. 2001-0948  
Application No. 08/959,138

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ON BRIEF

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Before HAIRSTON, JERRY SMITH, and LEVY, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 18.

The disclosed invention relates to a method for selecting printing features at print time with the aid of a print dialog box and a media-type dialog box.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A method for selecting printing features at print time comprising the steps of:

(a) upon a user selecting to perform a first print job from an application, displaying a print dialog box;

(b) upon the user closing the print dialog box without canceling the first print job, displaying a media-type pop-up dialog box which allows a user to specify which type of media is to be used for printing the first print job;

(c) upon the user changing selection of media-type, changing print parameters for the first print job; and

(d) upon the user closing the media-type pop-up dialog box without canceling the first print job, printing the first print job.

The references relied on by the examiner are:

Kimura et al. (Kimura)	4,666,801	May 19, 1987
Stephenson et al. (Stephenson)	5,369,419	Nov. 29, 1994
Laumeyer et al. (Laumeyer)	5,572,632	Nov. 5, 1996
Kubo et al. (Kubo)	5,828,461	Oct. 27, 1998
		(filed Nov. 15, 1996)
Cameron et al. (Cameron)	5,839,117	Nov. 17, 1998
		(filed Jan. 6, 1997)
Anglin et al. (Anglin)	5,862,322	Jan. 19, 1999
		(filed Feb. 15, 1996)

Claims 1 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo in view of Laumeyer.

Claims 2 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo in view of Laumeyer and Anglin.

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Claims 3 through 5 and 12 through 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo in view of Laumeyer, Stephenson and Kimura.

Claims 6 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo in view of Laumeyer, Anglin, Stephenson and Kimura.

Claims 7 through 9 and 16 through 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo in view of Laumeyer, Anglin, Stephenson, Kimura and Cameron.

Reference is made to the briefs (paper numbers 8 and 11) and the answer (paper number 10) for the respective positions of the appellant and the examiner.

#### OPINION

We have carefully considered the entire record before us, and we will reverse the obviousness rejection of claims 1 through 18.

All of the claims on appeal specifically recite the steps of displaying a media-type pop-up dialog box "upon . . . closing" a previously opened print dialog box.

The examiner's contentions (answer, page 4) to the contrary notwithstanding, the main menu display 63 (Figure 4) and the main menu display 90 (Figure 9A) in Kubo are neither print dialog

boxes nor media-type pop-up dialog boxes. Although the main menu display 63 permits the setting of a photosensitive material (i.e., a media material) (column 19, lines 60 through 62) during the performance of scanning functions, the setting of the media material is not after a print dialog box has been opened and closed. Within the main menu display 90 is a print setting button 95 that will bring up a dialogue box 113 for a print setting operation (Figure 12; column 22, lines 53 through 59; column 24, lines 18 through 30). The dialogue box 113 simultaneously displays both a print dialog box and a media-type (i.e., paper size) pop-up dialog box.

Laumeyer permits the user of console 18 to select a printer 19 from among the suite of printers 19, and to select media for a print job (column 11, line 62 through column 12, line 14). Laumeyer is completely silent as to whether the console user has the benefit of dialog boxes when making the noted selections.

Inasmuch as neither Kubo nor Laumeyer teaches or would have suggested the specifically claimed steps of closing the print dialog box before displaying the media-type pop-up dialog box, the obviousness rejection of claims 1 and 10 is reversed. The obviousness rejections of claims 2 through 9 and 11 through

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18 are likewise reversed because the teachings of Anglin,  
Stephenson, Kimura and Cameron do not cure the noted shortcomings  
in the teachings of Kubo and Laumeyer.

DECISION

The decision of the examiner rejecting claims 1 through  
18 under 35 U.S.C. § 103(a) is reversed.

REVERSED

KENNETH W. HAIRSTON  
Administrative Patent Judge

JERRY SMITH  
Administrative Patent Judge

STUART S. LEVY  
Administrative Patent Judge

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